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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-211428

DATE: May 6, 1983

MATTER OF: Supreme Equipment & Systems
Corporation

DIGEST:

1. Potential supplier to the prime contractor is not an interested party under GAO's Bid Protest Procedures to challenge the propriety of the procuring agency's acceptance of a bid for the prime contract.
2. GAO generally will not review a potential subcontractor's protest of the prime's award to another subcontractor where the Government only approved the award since the matter involves contract administration, which is the procuring agency's responsibility.

Supreme Equipment & Systems Corporation protests the award of a contract to Wilner Construction Company for a computer controlled automated weapon storage/retrieval system under solicitation No. N62474-77-B-2941, issued by the Naval Facilities Engineering Command. Supreme is a potential supplier to the prime contractor, and contends that Wilner intends to utilize a supplier whose product does not meet the solicitation's specifications.

We dismiss the protest.

Under our Bid Protest Procedures, a party must be "interested" before we will consider its protest allegations. 4 C.F.R. § 21.2(a) (1983). Whether a party is so interested depends upon the degree to which its interest in the outcome of the protest is both established and direct. In general, we will not consider a party's interest to be sufficient where that party would not be eligible for award even if the issues raised were resolved in its favor. See Bay Shipbuilding Corporation--Reconsideration, B-209435.3, December 7, 1982, 82-2 CPD 516.

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Supreme's protest generally challenges the propriety of the Navy's acceptance of Wilner's bid. Supreme, however, is not a bidder here. Since Supreme is not eligible for award, it is the disappointed bidders, not Supreme, who have the necessary direct interest in the outcome of this protest. Supreme thus is not an interested party within the meaning of our Bid Protest Procedures. See Radix II Incorporated, B-208557.2, September 30, 1982, 82-2 CPD 302.

Further, to the extent Supreme is complaining about the prospective subcontract award itself, our Office considers such complaints only in certain limited circumstances, since the Government's participation in subcontract awards generally involves only approval of the prime contractor's selection of a subcontractor, which is a function of contract administration. See Sybron Corporation, B-207181, May 20, 1982, 82-1 CPD 483. Supreme's protest does not suggest that our review is appropriate here.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel